



COMMUNICATIONS TAPES

FC No.: 750

Date: 08-21-02

Contents:

- I. Policy
- II. Persons Authorized to Receive Copies
- III. Requests for Cassette Copies of ECC Logger Recordings
- IV. Information Necessary for Court
- V. Proponent Unit
- VI. Cancellation

Appendix A: MCP 77, "Copy Request for Communications Tape"

I. Policy (CALEA 81.2.8.c)

The Communications Division records all 911 **and non-emergency telephone** calls and radio **dispatch** communications to assist in the investigation of crimes, to provide documentation of police action, and to assist ECC personnel in the performance of their duties.

II. Persons Authorized to Receive Copies

- A. The following individuals are authorized to receive copies of **telephone** conversations or police radio transmissions:
 - 1. Investigating officers on an official use only basis, in accordance with the procedures set forth in this directive.
 - 2. Private attorneys and citizens in accordance with Executive Regulation 9-91E or pursuant to a subpoena.
 - 3. Members of the State's Attorney's Office upon written request.
 - 4. The Public Defender's office involving felony cases, gratis, upon written request.

- B. All citizens and private attorneys requesting copies of tapes should be referred to the Director, Communications Division, for assistance.


III. Requests for Cassette Copies of ECC Logger Recordings

- A. The Communications Division maintains logger recordings for a period of **120** days before reusing the tape. (CALEA 81.2.8.a)

- B. Officers will use an MCP 77, "Copy Request for Communications Tape," to request a copy of the logger recordings. The MCP 77 will be submitted, via the officer's supervisor, to the Director, Communications Division, by interdepartmental mail or fax. Walk-in requests will only be accommodated in emergency situations.
- C. ECC staff will normally have the copy made within 10 days of receipt of the MCP 77. ECC staff will notify the requesting officer when the tape is ready for pick up. Tapes must be picked up within **three weeks** of notification at which time they will be recycled.
- D. All ECC tapes will be retrieved at Headquarters, Records Division service window, not ECC.
- E. Requests to "hold **logger recordings**" will not be accepted.
- F. The Communications Division will maintain a record of the MCP 77 forms for all tapes copied.
- G. *Officers will use discretion when requesting communications tapes. Except in extreme circumstances, tape requests should be limited to under an hour in duration. Requests for longer than one hour shall be reviewed by a member of the ECC Leadership Team to determine the feasibility of the request. Additionally, officers will restrict requests to those that are only needed for court purposes.*
- H. *The Domestic Violence Unit has primary responsibility for requests relating to domestic violence investigations/cases.*
- IV. Information Necessary for Court
 - A. *Each logger recording will have an authenticity sticker attached to the tape case with the corresponding tape number. This sticker has allowed both parties the ability to stipulate to the authenticity. The necessary summons should be directed to the Custodian of Record for ECC*

- B. The officer's investigative file should include the details of when the tape was initially received, the date and time it was duplicated, and the person who duplicated it.
- C. The tape should be marked with the case number, the name of the witness recorded, the name of the defendant (if known), and the date and time the call was originally received.
- D. The original **logger recording** need not be brought to court. A copy is satisfactory under the law. The copy will be treated as evidence and processed according to FC 721, "Evidence/Recovered Property."
- V. **Proponent Unit:** Communications Division
- VI. **Cancellation**

This directive cancels Function Code 750, dated 09-10-00.



Charles A. Moose, Ph.D.
Chief of Police